

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12816 OF 2022

Dr. Satej Mahadev Danane ... **Petitioner**
Versus
The Shivaji University & Ors. ... **Respondents**

Mr. Suyash Sule i/b. Mr. Aditya Raktade, Advocate for the Petitioner.

Ms. P. N. Diwan, AGP for the Respondents/State.

Mr. Arjun Kadam, Advocate for Respondent Nos.1 to 3.

**CORAM: S.V. GANGAPURWALA &
 S. G. DIGE, JJ.**

DATED : NOVEMBER 11, 2022

P.C.

1. Heard learned Advocate for the petitioner and learned Advocate for the respondents.

2. The grievance of the petitioner is that the petitioner's name is not included in the list of voter's from HOD collegium. According to learned Counsel for the petitioner, the appeal filed by the Vice Chancellor, Shivaji University is rejected solely on the ground that the petitioner has not applied within the prescribed time. The same is erroneous. As per the schedule declared for preparation of the final voter's list, the petitioner has raised an objection within stipulated period. The learned Counsel for the University submits that the petitioner does not qualify for the post of

HOD. The petitioner is required to have teaching experience of ten years. The petitioner is appointed on 3rd March 2014. The petitioner does not complete ten years service. The learned Counsel for the petitioner submits that the petitioner has placed on record a certificate from 27th July 2009 to 24th December 2013 with Mohini Murari Mayekar Arts and Commerce College, Chafe.

3. The certificate is placed on record. There is no appointment order nor there is anything to show that the said appointment is approved. The manner of appointment is also not placed on record. The appointment order is also not on record.

4. In view of that, the matter would involve disputed question of fact. The same cannot be considered in the present writ petition.

5. The writ petition is disposed of. No costs.

(S. G. DIGE, J.)

(S.V. GANGAPURWALA, J.)